

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CYBER SWITCHING PATENTS, LLC,

Plaintiff,

No. C 14-2682 PJH

v.

ORDER OF DISMISSAL

EATON CORPORATION,

Defendant.

The parties hereto, by their counsel, having advised the court that they have agreed to a settlement of this case, IT IS HEREBY ORDERED that this action is dismissed **without** prejudice; provided, however that if any party hereto shall certify to this court, within sixty days, with proof of service thereof on the opposing party, that the agreed consideration for said settlement has not been delivered over, the foregoing order shall stand vacated and this cause shall forthwith be restored to the calendar to be set for trial.

If no certification is filed, after passage of sixty days, the dismissal shall be **with** prejudice. The parties may, of course, substitute a dismissal **with** prejudice at any time during this sixty day period.

In addition, in light of this dismissal, defendant's motion to stay is DENIED as moot and the March 18, 2015 hearing date is VACATED.

IT IS SO ORDERED.

Dated: February 18, 2015



PHYLLIS J. HAMILTON
United States District Judge